

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VANESSA CASTELNERO,
Parent and Next Friend of B.P.M., a minor

Plaintiff,

Case No. 2:14-cv-13168
Honorable Gershwin A. Drain

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

/

ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION (#15)
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (#13) AND
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (#11)

This matter is before the court on the parties' Cross-Motions for Summary Judgment as to Plaintiff Vanessa Castelnero's, parent and next friend of B.P.M. (a minor), claim for judicial review of Defendant Commissioner of Social Security's denial of her application, on behalf of her son B.P.M. for disability insurance benefits. This matter was referred to Magistrate Judge Patricia T. Morris on August 18, 2014, who issued a Report and Recommendation on June 16, 2015, recommending that the Court deny the Defendant's Motion for Summary Judgment, grant the Plaintiff's Motion for Summary Judgment, and that the case be remanded to the Commissioner for further proceedings under sentence four or 42 U.S.C. § 405(g). Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C).

Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby ACCEPTS and ADOPTS Magistrate Judge Morris's June 16, 2015 Report and Recommendation [#15] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary [#13] is DENIED. Plaintiff's Motion for Summary Motion [#11] is GRANTED.

This matter is remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C § 405(g) for further proceedings consistent with Magistrate Judge Morris's Report and Recommendation.

SO ORDERED.

Dated: July 22, 2015

/s/Gershwin A Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE